

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DONNELL DEFRANCE WILLIAMS,

Plaintiff,

v.

Case Number:16-14237

PAUL KLEE, ET AL.,

Defendants.

ORDER DENYING PLAINTIFF’S MOTION FOR RECONSIDERATION

Petitioner Donnell Defrance Williams filed a *pro se* civil rights complaint under 42 U.S.C. § 1983, naming forty-seven defendants. The court summarily dismissed eleven defendants pursuant to 28 U.S.C. § 1915(e)(2), for failure to state a claim upon which relief may be granted and directed Plaintiff to furnish thirty-five additional copies of the complaint. (Dkt. # 6). In response, Plaintiff filed an affidavit stating that he lacked funds in his institutional account to make the necessary copies and the librarians therefore will not make the copies. The court found that the Michigan Department of Corrections (MDOC) provided adequate procedures by which an indigent prisoner could obtain copies for court filings and that Plaintiff failed to show that he sought to obtain copies in compliance with the MDOC procedures. The court dismissed the complaint without prejudice. (Dkt. # 8). Now before the court is Plaintiff’s Motion for Reconsideration.

A motion for reconsideration will only be granted where the movant “demonstrate[s] a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled” and where “correcting the defect

will result in a different disposition of the case.” E.D. Mich. LR 7.1(h)(3). “[T]he court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication.” *Id.*

Plaintiff seeks reconsideration on the grounds that he has been unable to secure the required copies because he does not have the necessary funds and that he was unaware that his affidavit stating as much should be notarized. Plaintiff’s argument that he has been unable to obtain copies because he lacks funds simply reasserts the argument set forth in his affidavit. In addition, Plaintiff’s affidavit, although unnotarized, was nevertheless considered by the court. Plaintiff has not shown that the court’s decision was based upon a palpable defect by which the court was misled. The court will therefore deny the motion.

IT IS ORDERED that Plaintiff’s Motion for Reconsideration (Dkt. # 10) is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 14, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 14, 2018, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522